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Franciscus L. A. J. Kamperman

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EXAMINER

KEEHN, RICHARD G

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/565,663	<b>Applicant(s)</b> KAMPERMAN ET AL.	
	<b>Examiner</b> RICHARD G. KEEHN	<b>Art Unit</b> 2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-12,14,15 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-12,14,15 and 17-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- 1. Claims 1, 3, 4, 6-12, 14, 15 and 17-23 have been examined and are pending.**
- 2. Claims 2, 5, 13 and 16 have been cancelled.**
- 3. Applicant's prior art arguments are found to be unpersuasive. Accordingly this Office action is made FINAL.**

### ***Response to Arguments***

**4.** Applicant's arguments, see Page 11, filed 6/17/2009, with respect to the objection to Claims 1, 12, 15 and 21 have been fully considered and are persuasive. The objection to Claims 1, 12, 15 and 21 has been withdrawn.

**5.** Applicant's arguments, see Page 11, filed 6/17/2009, with respect to the rejection of Claims 3, 6, 8, 9, 11, 14, 17, 19, 20 and 22 under 35 U.S.C. 112 have been fully considered and are persuasive. The rejection of Claims 3, 6, 8, 9, 11, 14, 17, 19, 20 and 22 under 35 U.S.C. 112 has been withdrawn.

**6.** Applicant's arguments filed 6/17/2009 have been fully considered but they are not persuasive. On Page 12 of Applicant's arguments, Applicant argues essentially that the binding of a user in the claims refers to the binding of a human user {implied because Applicant uses "Searcher X" as a hypo}, not a device, and argues that the cited art Nakahara et al. do not teach such human user binding. To illustrate, Applicant comes up with a hypothetical situation alleging Nakahara et al. would not be able to distinguish between two Searchers {human users} if they were using the same device. Examiner respectfully traverses this argument. First, the claim language does not

Art Unit: 2456

explicitly indicate that a “user” is human. It merely recites "at least one user." Therefore, Applicant has argued that which is not claimed. Second, ¶ [0197] of Nakahara et al. clearly indicates that a father and son, two separate and distinct humans, are bound separately; and ¶ [0194] of Nakahara et al. clearly indicates that license management is not only checked against the function unit {device}, but also the user’s usage restrictions {user}. Therefore Nakahara is quite capable of distinguishing which human user is on which device.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**7.** Claims 1, 3, 4, 6-12, 14, 15 and 17-23 are rejected under 35 U.S.C. 102(a) and (e) as being anticipated by US 2003/0018491 A1 (Nakahara et al.).

As to Claims 1, 12 and 23, Nakahara et al. anticipate a method, a system for generating an Authorized Domain (AD), and computer readable medium having stored thereon instructions for causing one or more processing units to execute the method, of generating an Authorized Domain (AD), comprises:

selecting a domain identifier (Domain\_ID) uniquely identifying the Authorized Domain (AD) (Nakahara et al. disclose the domain list – Pages 12-13, ¶ [0200]),

Art Unit: 2456

binding at least one user (P1, P2, ..., PN1) to the domain identifier (Domain\_ID) (Nakahara et al. disclose searcher X belonging to the domain – Page 13, ¶¶ [0197 and 0200]),

binding at least one device (D1, D2, ..., DM) to the domain identifier (Domain\_ID) (Nakahara et al. disclose the function units belonging to the domain – Page 13, ¶ [0200]), and

binding at least one content item (C1, C2, ..., CN2) to the Authorized Domain (AD) given by the domain identifier (Domain ID) (Nakahara et al. disclose the content usage devices belonging to the domain – Page 13, ¶ [0200]),

thereby obtaining a number of devices (D1, D2, ..., DM) and a number of users (P1, P2, ..., PN1) that are authorized to access content items (C1, C2, ..., CN2) of said Authorized Domain (AD) (Nakahara et al. disclose the domain list {Domain ID}, at least one user {user}, function units {devices}, and content usage devices {content items}, and licensing {authorized} – Pages 12-13, ¶ [0200])

wherein access to the at least one content item (C1, C2, ..., CN2) is obtained by verifying that the at least one content item (C1, C2, ..., CN2) and the at least one user (P1, P2, ..., PN1) are linked to the same domain identifier (Domain\_ID) or by verifying that the at least one device (D1, D2, ..., DM) and the at least one content item (C1, C2, ..., CN2) ) are linked to the same domain identifier (Domain\_ID) (Nakahara et al.

disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]).

Art Unit: 2456

As to Claims 3 and 14, Nakahara et al. anticipate a method and system according to claims 1 and 12 respectively, wherein the binding at least one user (P1, P2, ..., PN1) to the domain identifier (Domain\_ID) comprises:

obtaining or generating a Domain Users List (DUC) comprising the domain identifier (Domain\_ID) and a unique identifier (Pers\_ID1, Pers\_ID2, ..., Pers\_IDN1) for a user (P1, P2, ..., PN1) thereby defining that the user is bound to the Authorized Domain (AD) (Nakahara et al. disclose the domain list - ¶ [0200], which comprises the function unit ID and user ID fields - Figure 3),

and/or in that

the binding at least one device (D1, D2, ..., DM) to the domain identifier (Domain\_ID) comprises:

obtaining or generating a Domain Devices List (DDC) comprising the domain identifier (Domain\_ID) and a unique identifier (Dev.ID 1, Dev.ID2, ..., Dev.IDM) for a device (D1, D2, ..., DM) thereby defining that the device is bound to the Authorized Domain (AD) (Nakahara et al. disclose the domain list - ¶ [0200], which comprises the function unit ID and user ID fields - Figure 3).

As to Claims 4 and 15, Nakahara et al. anticipate a method and system according to claims 1 and 12 respectively, wherein the binding at least one content item (C1, C2, ..., CN2) to the Authorized Domain (AD) comprises:

Art Unit: 2456

binding a content item (C1, C2, ..., CN2) to a User Right (URC1, URC2, ... URCN2), where said User Right (URC1, URC2, ... URCN2) is bound to a user (P1, P2, ..., PN1) bound to the Authorized Domain (AD), and/or

binding a content item (C1, C2, ..., CN2) to a Device Right (DevRC), where said Device Right (DevRC) is bound to a device (D1, D2, ..., DM) which is bound to the Authorized Domain (AD) (Nakahara et al. disclose the domain list {Domain ID}, at least one user {user}, function units {devices}, and content usage devices {content items}, and licensing {right to use} – Pages 12-13, ¶ [0200]), and/or

binding a content item (C1, C2, ..., CN2) to a Domain Rights (DRC1, DRC2, ... DRCN2), where said Domain Rights (DRC1, DRC2, ... DRCN2) is bound to the Authorized Domain (AD) (Nakahara et al. disclose the domain, content usage devices {content items}, and licensing {right to use} – Pages 12-13, ¶ [0200]).

As to Claims 6 and 17, Nakahara et al. anticipate a method and system according to claims 4 and 15 respectively,

wherein the User Right (URC1, URC2, ..., URCN2) or the Device Right (DevRC) or the Domain Rights (DRC1, DRC2, ..., DRCN2) comprises rights data (Rights Dat) representing which rights exists in relation to the at least one content item (C1, C2, ..., CN2) bound to the User Right (URC1, URC2, ..., URCN2) or the Device Right (DevRC) or the Domain Rights (DRC1, DRC2, ..., DRCN2) (Nakahara et al. disclose the domain list {Domain ID}, at least one user {user}, function units {devices}, and content usage

Art Unit: 2456

devices {content items}, and licenses tied to the user, domain, devices and contents {right to use} – Pages 12-13, ¶ [0200]).

As to Claim 7 and 18, Nakahara et al. anticipate a method and system according to claims 1 and 12 respectively, the method further comprises controlling access to a given content item bound to the Authorized Domain (AD) by a given device being operated by a given user, comprising:

checking if the given user is bound to the same Authorized Domain (AD) as the given content item, or

checking if the given device is bound to the same Authorized Domain (AD) as the given content item (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]),

and allowing access for the given user via the given device and/or other devices to the content item if the given user is bound to the same Authorized Domain (AD),

or allowing access for the given user and/or other users via the given device to the content item if the given device is part of the same Authorized Domain (AD) (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]).

As to Claims 8 and 19, Nakahara et al. anticipate a method and system according to claims 3 and 14 respectively, the method further comprises controlling



Art Unit: 2456

access to a given content item (C1, C2, ..., CN2), being bound to the Authorized Domain (AD) and having a unique content identifier (Cont ID), by a given device being operated by a given user comprising:

checking if the Domain Devices List (DDC) of the Authorized Domain (AD) comprises an identifier (Dev.ID) of the given device, thereby checking if the given device is bound to the same Authorized Domain (AD) as the content item, and/or

checking if the Domain User List (DUC) of the Authorized Domain (AD) comprises an identifier (Pers\_ID) of the given user (P1, P2, ..., PN1) thereby checking if the given user is bound to the same Authorized Domain (AD) as the content item (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]),

and allowing access to the given content item (C1, C2, ..., CN2) by the given device (D1, D2, ..., DM) for any user if the given device is bound to the same Authorized Domain (AD) as the content item being accessed, and/or

allowing access to the given content item (C1, C2, ..., CN2) by any device including the given device for the given user if the given user is bound to the same Authorized Domain (AD) as the content item being accessed (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]).

As to Claims 9 and 20, Nakahara et al. anticipate a method and system according to claim 7 and 18 respectively,

Art Unit: 2456

wherein the binding at least one content item (C1, C2, ..., CN2) to the Authorized Domain (AD) comprises:

binding a content item (C1, C2, ..., CN2) to a User Right (URC1, URC2, ..., URCN2) where said User Right (URC1, URC2, ..., URCN2) is bound to a user (P1, P2, ..., PN1) which is bound to the Authorized Domain (AD) (Nakahara et al. disclose the domain, content usage devices {content items}, and licensing {right to use} – Pages 12-13, ¶¶ [0197 and 0200]), and

wherein the controlling access of a given content item further comprises:

checking that the User Right (URC1, URC2, ..., URCN2) for a given content item specifies that the given user (P1, P2, ..., PN1) has a right to access the given content item (C1, C2, ..., CN2) and only allowing access to the given content item (C 1, C2, ..., CN2) in the affirmative (Nakahara et al. disclose granting or restricting access to content based on whether the user and content domain licensing requirements are met – Page 12, ¶ [0197]).

As to Claims 10 and 21, Nakahara et al. anticipate a method according to claims 1 and 12 respectively,

wherein every content item is encrypted and that a content right (CR) is bound to each content item and to a User Right (URC) or a Device Right (DevRC) or a Domain Rights (DRC), and that the content right (CR) of a given content item comprises a decryption key for decrypting the given content item (Nakahara et al. disclose content encryption and decryption key - Page 3, ¶¶ [0048-0050]).

As to Claims 11 and 22, Nakahara et al. anticipate a method and system according to claims 4 and 15 respectively, wherein

the Domain Users List (DUC) is implemented as or included in a Domain Users Certificate, and/or

the Domain Devices List (DDC) is implemented as or included in a Domain Devices Certificate, and/or

the User Right (URC 1, URC2, ..., URCN2) is implemented as or included in a User Right Certificate, and/or

the Device Right (DevRC) is implemented as or included in a Device Right Certificate, and/or

the Domain Rights (DRC 1, DRC2, ..., DRCN2) is implemented as or included in a Domain Rights Certificate (Nakahara et al. disclose license authentication included in a certificate - ¶¶ [0198] [0249-0251] [0258]).

### ***Examiner Notes***

8. Page 12 of the specification discloses SPKI authorization certificates; and specific details regarding identifiers. Inclusion in independent form may overcome the 35 U.S.C. 102 rejection of independent claims 1, 12 and 23.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD G. KEEHN whose telephone number is (571)270-5007. The examiner can normally be reached on Monday through Thursday, 8am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2456

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RGK

/Bunjob Jaroenchonwanit/  
Supervisory Patent Examiner, Art Unit 2456